

PATENT COOPERATION TREATY

To:

BEERRE ASSESSORIA EMPRESARIAL
LTDA
3236 Barao de Itapura Avenue
Taquaral Ward
13073-300 Campinas - SP
Brazil

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year)	25 October 2007 (25.10.2007)
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Applicant's or agent's file reference
PI0406012

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/BR 2005/000190

International filing date (day/month/year)
19 September 2005 (19.09.2005)

Priority Date (day/month/year)
31 December 2004 (31.12.2004)

International Patent Classification (IPC) or both national classification and IPC
A61B 17/34 (2006.01); A61M 25/00 (2006.01)

Applicant

ARTIFON EVERSON LUIZ DE ALMEIDA

1. This opinion contains indications relating to the following items:

- ☒ Cont. No. I Basis of the opinion
- ☐ Cont. No. II Priority
- ☐ Cont. No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Cont. No. IV Lack of unity of invention
- ☒ Cont. No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Cont. No. VI Certain documents cited
- ☐ Cont. No. VII Certain defects in the international application
- ☐ Cont. No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ AT
Austrian Patent Office
Dresdner Straße 87, A-1200 Vienna

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Authorized officer
KÖNIG H.

Telephone No. +43 / 1 / 534 24 / 339

Continuation No. I

Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed.

Continuation No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-8	YES
	Claims ----	NO
Inventive step (IS)	Claims 1-8	YES
	Claims ----	NO
Industrial applicability (IA)	Claims 1-8	YES
	Claims ----	NO

2. Citations and explanations:

The present patent application discloses a biliary catheter with needle-puncture device for use in diagnostic and therapeutic procedures.

Reference is made to the following documents:

D1: WO1996/013296 A1
D2: US5176647 A

D1 shows method and apparatus for electrosurgically obtaining access to the biliary tree. The catheter has two lumens, the first having a needle knife therein and the second being used to infuse a contrast medium to visualise the common bile duct.

D2 shows an instrument for performing a radiographic cholangiogram. It is housing a hollow catheter comprising a cannula with sharpened edge to cut the cystic duct. Also mounted within the instrument are an advancing and a locking mechanism for the catheter as well as an injection system for delivering the contrast media.

Both documents do not show

- radiopaque marks to view the far end of the catheter in x-ray
- a retraction blockage component for restricting movement of concentric perforation tube.

Therefore none of the documents is considered of particular relevance to claims 1-8.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/BR 2005/000190

Consequently, criteria of novelty and inventive step are met by claims 1-8.

Industrial applicability is given for all claims.

PATENT COOPERATION TREATY

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